IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

WP(C).No. 3533 of 2007(U)

PETITIONER:

M.X WILSON,
JUNIOR HEALTH INSPECTOR GRADE II,
CORPORATION OF KOCHI, KOCHI.

BY ADV. SRI.C.S.ABDUL SAMMAD
SRI.V.D.BALAKRISHNA KARTHA

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LOCAL ADMINISTRATION DEPARTMENT, GOVT.SECRETARIAT,
TRIVANDRUM.

2. SECRETARY TO GOVERNMENT,
HEALTH AND FAMILY WELFARE DEPARTMENT,
GOVERNMENT SECRETARIAT, TRIVANDRUM.

3. THE DIRECTOR,
DIRECTORATE OF URBAN AFFAIRS, TRIVANDRUM.

4. THE DIRECTOR OF HEALTH SERVICES,
TRIVANDRUM.

BY GOVT. PLEADER SRI. BIJOY CHANDRAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.3533 OF 2007

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Dated this the 1st day of February, 2007

JUDGMENT

Case of the petitioner in brief is as follows:

Petitioner was appointed as Junior Health Inspector Grade II in the Health Services Department on 19.8.1999. While so, he was appointed as Junior Health Inspector in Municipal Common Service on 1.2.2002. He applied for re-appointment in the parent department. He relied on the decision of the Full Bench reported in **Balakrishnan Nair v. Ram Mohan Nair** (1998(1) K.L.T. 766) and the decision of the Apex Court reported in **Ali v. State of Kerala** (2003(2) K.L.T. 922). Petitioner has preferred Exts.P4 and P5. Ext.P4 is given before the Director of Urban Affairs. Ext.P5 is given before the Director of Health Services through the Director of Urban Affairs. Petitioner relied on Ext.P6 judgment.

2. Heard Government Pleader also. The prayers in the writ petition include the prayer for a direction to consider and pass appropriate orders on Exts.P4 and P5 representations in the light of the judgment of this court in **Balakrishnan Nair's Case** and of the

judgment of the the Division Bench reported in **Saifuddin v. State of Kerala** (2006(3) K.L.T. 873) within a reasonable time.

Leaving open the contentions of the petitioner, the writ petition is disposed of directing the fourth respondent to consider and take a decision on Ext.P5 in accordance with law within a period of six weeks from the date of receipt of a copy of this judgment after hearing the petitioner.

(K.M. JOSEPH, JUDGE)

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K.M.JOSEPH, JJ.

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W.A. No. OF

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JUDGMENT

Dated this the day of February, 2006.